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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER	
YANG, RYAN R	
ART UNIT	**PAPER NUMBER**
2628	

NOTIFICATION DATE	DELIVERY MODE
11/02/2007	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

Office Action Summary	Application No.	Applicant(s)	
	10/694,938	WASHIO, KAZUTO	
	Examiner	Art Unit	
	Ryan R. Yang	2628	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *08 August 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-18* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-18* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This Office Action supersedes the Office Action mailed 7/30/2007.

2. In view of the Pre-Brief Conference request filed on 4/2/2007, PROSECUTION IS HEREBY REOPENED. A new ground of rejection is set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) initiate a new appeal by filing a notice of appeal under 37 CFR 41.31 followed by an appeal brief under 37 CFR 41.37. The previously paid notice of appeal fee and appeal brief fee can be applied to the new appeal. If, however, the appeal fees set forth in 37 CFR 41.20 have been increased since they were previously paid, then appellant must pay the difference between the increased fees and the amount previously paid.

A Supervisory Patent Examiner (SPE) has approved of reopening prosecution by signing below:

3. This action is responsive to communications: Interview, conducted on 10/12/2002. This action is non-final.

4. Claims 1-18 are pending in this application. Claims 1, 4, 7 and 10-15 are independent claims. In the Amendment, filed on 3/22/2006, claims 1, 4, 7, 11, 13 and 15 were amended, and claims 16-18 were added.

5. This application claims foreign priority dated 10/30/2002.

6. The present title of the invention is "Method, apparatus, and program for image processing" as filed originally.

Claim Rejections - 35 USC § 103

7. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

8. Claims 1-15 are rejected under 35 U.S.C. 103(a) as being unpatentable in view of Yu et al. (6,684,087) and further in view of Hu et al. (US 6,825,860).

In reference to claim 1, Yu et al. explicitly teaches transforming the image requested by a mobile display device into a size suitable to fit well into the screen of said mobile device (Col. 1, line 64 – Col. 2, line 45). Since a mobile device comprises a display screen too small to display normal images created for desktop display monitors, Yu et al. allows the original images to be processed to fit specific mobile devices. This often involves reduction of the original image, which allows the image to be transmitted faster and without delay. In addition, details of the original image are not sacrificed since Yu et al. allows the user to click on portions of the reduced image in order to display the detailed version of said portion. In addition, Yu et al. explicitly teaches fetching the image requested by the mobile device, which specifically is receiving selection of one of a plurality of image data sets by using a terminal (col. 7, lines 1-11). Since the image would not be properly displayed on a mobile display device, said image is preprocessed according to the parameters of mobile device provided in the associated account. The parameters used may include the screen size and the type (Col. 7, line 12-23; Col. 7, line 57 – Col. 8, line 18 and Col. 8, lines 33-63). Said

parameters provided in the associated account must be received by the account manager in order to preprocess said image properly. Thus, said receiving parameters specifically are receiving specification of a model of a mobile terminal to which a processed image data set generated from the selected one of the plurality of image data sets is sent. FIG. 4 explicitly shows the Device ID (402), Subscriber ID (404) and Device Specification (410), which specifically are specification of a model of a mobile terminal as recited in the current claim. In addition, Yu et al. explicitly teaches that the account manager (312) may use the IP address of the mobile display device as the device ID, and thus said destination address for sending the processed image data set is received by the account manager. In addition, said destination address of the mobile device must be known in order to communicate and transmit the request image to said mobile device. Further, once the IP address in identified by the account manager, said destination address has been received. Also, preprocessing said requested image to fit the mobile device and displaying said preprocessed image as applied above (Col. 7, line 12-25 and FIG. 5B) specifically is displaying on the terminal the selected one of the image data sets and an image area in accordance with a specification of a screen of the mobile terminal that has been specified. Said requested image is preprocessed according to the device specification found in the associated account information.

Yu et al. further teaches that said preprocessed image is subdivided into a plurality of parts, and once the user clicks on said desired portion, said desired portion is activated and detailed image of said desired portion is displayed (Col. 7, line 24 – Col. 8, line 32 and FIG. 5A-6B). When said the user clicks on the desired portion,

specification of a change in position and/or size of the image area are received by the account manager. The display area is changed and detailed image of said new display area is transmitted to the mobile device and displayed. When said desired portion is transmitted and displayed on the mobile device, all data not associated with the desired portion is cut or removed, and only the desire portion specified by the user is used in generating the new processed image.

Yu discloses a method of displaying image. It is noted that Yu does not explicitly disclose the image area is a changeable image area wherein the size and the position of the changeable image area is arbitrarily designated by a user while maintaining the specification of the screen of the mobile terminal, however, this is known in the art as taught by Hu et al., hereinafter Hu. Hu discloses an image generating method for a communication terminal in which "The image is displayed in a display area, the dimensions of which may be changed by a user. Upon a change in a first dimension of the display area, the image is rescaled so as to maintain an original aspect ratio of the image" (Abstract, line 5-9, where the aspect ratio is the original specificaiton).

Thus, it would have been obvious to one of ordinary skill in the art to incorporate the teach of Hu into Yu because Yu discloses a method of displaying image and Hu further discloses the image size could be changed while maintaining its specification in order to keep the image in perspective.

9. In regards to claim 4, Yu and Hu explicitly teach an apparatus for performing the method of claim 1 above.

10. In regards to claim 7, both the mobile device and the link server (300) specifically are computers, and all computers must have computer programs for executing the functions of said computers. Thus, Yu and Hu explicitly teach a computer program for performing the method of claim 1, which specifically is directed to identical limitation as the instant claim.

11. In regards to claim 2, Yu and Hu teach the image processing method of claim 1, and Hu further discloses receiving the specification of the change while an aspect ratio of the image area is maintained in the size in accordance with the specification of the screen of the mobile terminal ("Diagrammatical representations, including charts, system diagrams, and the like may also include logical groupings which would be best viewed together, despite a level of scaling or zooming which is selected by a user", column 1, line 67- column 2, line 4).

Thus, it would have been obvious to one of ordinary skill in the art to incorporate the teach of Hu into Yu because Yu discloses a method of displaying image and Hu further discloses the image size could be changed while maintaining its specification in order to keep the image in perspective.

12. In regards to claim 5, Yu and Hu explicitly teach an apparatus for performing the method of claim 2.

13. In regards to claim 8, Yu and Hu explicitly teach a computer program as applied to claim 2 above.

14. In regards to claim 3, Yu and Hu teach the method of claim 1, but do not explicitly teach wherein the plurality of image data sets are image data sets uploaded from the

terminal. Although, Yu and Hu are silent to said limitations, uploading images to a server is notoriously well known in the art (Official Notice), which allows a mobile device with limited storage space to store a plurality of image data which would normally exceed the mobile device's storage capacity on a remote server. Said remote server provides a plurality of mobile device to access the images associated with corresponding mobile device based on the specification of said mobile device. This alleviates the need for the mobile device to have a large storage space and yet access a plurality of images, and by reducing the storage capacity of the mobile device, said mobile device can be smaller and lighter. Thus, it would have been obvious to one of ordinary skill in the art to take the teachings of Yu and Hu, and to modify said teachings to allow mobile terminal devices to upload images and access said uploaded images. This alleviates the need for mobile device to have a large storage capacity, which allows said mobile device to be smaller and lighter.

15. In regards to claim 6, Yu and Hu explicitly teach an apparatus for performing the method of claim 3.

16. In regards to claim 9, Yu, and Hu explicitly teach a computer program as applied to claim 3 above.

17. In regards to claim 10, Yu and Hu explicitly teach a mobile terminal device with a rectangular display (FIG. 2 of Yu), which specifically comprises four sides of which two of the sides are longer than the remaining two sides. This is the definition of a rectangle. In addition, Yu explicitly teach that the image requested by said mobile terminal device with a rectangular display is preprocessed in accordance with the size

and shape of said mobile terminal device as applied to claims 1-9 above. In order to modify the image to fit the display of the mobile device, said longer side of the image must be positioned to align with the longer side of the display. This is defined and encompassed by the teachings of Yu. If said longer side of the image did not align with the longer side of the display, valuable display area will be unused and the displayed image will be smaller than necessary. FIGS. 5A-5D explicitly teaches said limitation.

18. In regards to claim 12, Yu and Hu explicitly teach an apparatus as applied to claim 10 above.

19. In regards to claim 14, Yu and Hu explicitly teach a computer program as applied to claim 10 above.

20. In regards to claim 11, the same basis and rationale for claim rejection as applied to claims 1 and 10 are applied. The limitations of instant claim are identical to the combination of claims 1 and 10 above. Since Yu and Hu in combination teach all limitations of claims 1 and 10, said limitations of claim 11 are also taught by Yu and Hu as applied to claims 1 and 10 above. Further, claim 11 takes the limitations of claim 1 and adds that said display of the mobile terminal device is a rectangle as applied to claim 10 above.

21. In regards to claim 13, Yu and Hu explicitly teaches an apparatus as applied to claim 4 above.

22. In regards to claim 15, Yu and Hu explicitly teach a computer program as applied to claim 7 above.

23. Claims 16-18 are rejected under 35 U.S.C. 103(a) as being unpatentable in view of Yu et al. (6,684,087) and Hu et al. (6,825,860), and further in view of Ishii (6,639,603).

24. As per claims 16-18, Yu and Hu demonstrated all the elements as disclosed in the rejected claims 1, 4 and 7, supra, respectively.

Yu and Hu disclose a displaying method. It is noted that Yu and Hu do not explicitly disclose displaying the changeable image area, a landscape orientation or a portrait orientation can be selected, however, this is known in the art as taught by Ishii. Ishii discloses a display method in which a portrait or a landscape mode can be selected (see Abstract).

Thus, it would have been obvious to one of ordinary skill in the art to incorporate the teaching of Ishii into Yu and Hu because Yu and Hu disclose a method of displaying image and Ishii discloses the image could be displayed in a landscape mode or portrait mode in order to optimize the viewing of the displayed image.

Response to Arguments

25. Applicant's arguments with respect to claims 1-18 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

26. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ryan R. Yang whose telephone number is (571) 272-7666. The examiner can normally be reached on M-F 8:30AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Razavi can be reached on (571) 272-7664. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Ryan Yang/
Primary Examiner
October 30, 2007